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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,020	08/18/2003	Dana A. Jacobsen	10018795-1	3215
	7590 06/11/200 CKARD COMPANY	EXAMINER		
	00, 3404 E. HARMON	BRINICH, STEPHEN M		
INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			ART UNIT	PAPER NUMBER
	,	2625		
			MAIL DATE	DELIVERY MODE
			06/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10643020	8/18/03	JACOBSEN, DANA A.	10018795-1

HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD

INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400

EXAMINER

Stephen M. Brinich

ART UNIT PAPER

2625

20070605

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

		Application No.	Applicant(s)				
Office Action Summary		10/643,020	JACOBSEN, DANA A.				
		Examiner	Art Unit				
		Stephen M. Brinich	2625				
? Period for f	The MAILING DATE of this communication app Reply	pears on the cover sheet with the c	orrespondence address				
WHICHI - Extensio after SIX - If NO pe - Failure to Any reply	RTENED STATUTORY PERIOD FOR REPLY EVER IS LONGER, FROM THE MAILING DATE of time may be available under the provisions of 37 CFR 1.1 (6) MONTHS from the mailing date of this communication riod for reply is specified above, the maximum statutory period to reply within the set or extended period for reply will, by statute or received by the Office later than three months after the mailing atent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim will apply and will expire SIX (6) MONTHS from to cause the application to become ABANDONED	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).				
Status							
1)∏ Re	esponsive to communication(s) filed on						
		action is non-final.					
· —	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition							
4)⊠ CI	aim(s) <u>1-36</u> is/are pending in the application.						
	4a) Of the above claim(s) is/are withdrawn from consideration.						
	5) Claim(s) is/are allowed.						
6) <u></u> Cl	6) Claim(s) is/are rejected.						
7)□ CI	aim(s) is/are objected to.						
8)⊠ Cl	aim(s) <u>1-36</u> are subject to restriction and/or e	election requirement.					
Application	Papers						
9)∐ Th	e specification is objected to by the Examine	r					
10)[Th	e drawing(s) filed on is/are: a) acce	epted or b)⊡ objected to by the E	xaminer.				
Ap	plicant may not request that any objection to the	drawing(s) be held in abeyance. See	37 CFR 1.85(a).				
Re	placement drawing sheet(s) including the correct	ion is required if the drawing(s) is obj	ected to. See 37 CFR 1.121(d).				
11) <u></u> Th∈	e oath or declaration is objected to by the Ex	aminer. Note the attached Office	Action or form PTO-152.				
Priority und	ler 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:							
1.	1. Certified copies of the priority documents have been received.						
2.	2. Certified copies of the priority documents have been received in Application No						
3.[3. Copies of the certified copies of the priority documents have been received in this National Stage						
	application from the International Bureau	* **					
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)							
	, <u> </u>						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application							
	of Disdostre Statement(s) (FTO/SB/06)	6) Other:	whiteman				

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DETAILED ACTION

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Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-19, drawn to a raster image processor arrangement, classified in class 358, subclass 1.9.
 - II. Claims 20-36, drawn to an arrangement for adapting print data to a printing device, classified in class 358, subclass 1.15.
- 2. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination I has separate utility such as a raster image processor for producing a printer-independent bit stream. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See

MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

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- 3. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

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Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Conclusion

5. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

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If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300 (as of July 15, 2005).

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Stephen M Brinich

Examiner

Technology Division 2625

smb June 5, 2007